

## **DETAILED ACTION**

### ***Acknowledgements***

1. This communication is in response to the USPTO Board of Patent Appeals and Interferences decision mailed on June 24, 2011, 2011 ("Board Decision") and further in response to the telephonic interview with Applicants representative, Raymond Roberts, on September 7, 2011 ("September Communication").
2. The Board Decision reversing the Examiner on claim 13 is acknowledged.
3. Claims 12 and 14-15 are pending.
4. Claims 13, 26-31 are canceled per the September Communication.

### ***Examiner's Amendment***

5. An Examiner's amendment to the record appears below. Should the changes and/or additions by the Examiner unacceptable to Applicants, an amendment may be filed as provided by 37 C.F.R. §1.312. To ensure consideration of such amendment, it must be submitted no later than the payment of the issue fee.
6. Authorization for this Examiner's amendment was given in the September Communication.
7. The application has been amended as follows:
8. Please replace all previous claims with attached amended claims, wherein:  
Claims 12 and 14-15 are allowed, and  
Claims 13 and 26-31 are canceled.

***Allowable subject matter***

9. Claims 12 and 14-15 are allowed.
10. The following is a statement of reasons for the indication of allowable subject matter: See Board Decision.
11. Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug*, 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore the Examiner must interpret the claimed terms as found on pages 1-22 of the specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings, the inventor's lexicography must prevail . . . ." *Id.* Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.

***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mamon Obeid whose telephone number is (571) 270-1813. The Examiner can normally be reached on Mon-Fri 8:00 AM- 5:00 PM.
13. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mamon Obeid/  
Primary Examiner, Art Unit 3621